

Temperance - 1922.

# ONE NEGRO IS DEAD AND THREE ARRESTED

*Montgomery Advertiser*  
Bibb Sheriff and His Deputies  
Make Early Morning Raid  
That Gets Results

2/5/32  
(Special to The Advertiser)

CENTERVILLE, ALA., Feb. 4.—One negro is dead and three others are in the county jail charged with making whiskey as the result of a raid by Sheriff Wood and two deputies on the Duff farm about four miles southwest of here early Saturday morning.

A Ford car belonging to one of the negroes was also seized, and three stills and a quantity of the contraband liquor were taken.

The sheriff, accompanied by Deputies Griffin and Smith, armed with search warrants, made the raid shortly after midnight Saturday morning, and one of the three stills was in operation when taken. The negroes arrested are Ed Tucker, Henry Latimer and Fate Wilson, and the dead negro is Jim Butts.

Tubbs, in whose home one of the stills was found, came up just as the sheriff and his deputies were about to leave, and in an altercation which followed, it is charged he drew his gun and fired at the sheriff. The sheriff fell and began firing, as did the deputies. The negro was brought down before he could shoot again. The sheriff considers himself exceedingly lucky to have escaped unhurt.

The spring term of the circuit court of Bibb county will convene here on Monday, next, and the parties arrested in this raid are expected to be indicted.

## Thirty-One Prisoners.

There are at the present time confined in the county jail here thirty-one prisoners charged with various crimes. This is the largest number confined in the jail at any one time for many years and the criminal part of the court will, no doubt, be a busy one.



Temperance - 1922.

## NEGRO LAW ENFORCEMENT CONFERENCE

A National and Inter-denominational Gathering of Negro Leaders Declare the Race

*New Orleans, La. Eager for Obedience to All Law*

The Negro is for the enforcement of national prohibition; he is for the enforcement of all laws that will make for a better and safer and purer manhood and womanhood in America.

That fact was demonstrated at the "National Inter-Denominational Temperance, Public Morals and Law Enforcement Conference" attended by more than 1,000 leading Negroes at Nashville, Tenn., October 3rd to 6th. The Conference was arranged for and called together under the auspices of the Board of Temperance, Prohibition and Public Morals of the Methodist Episcopal Church. Dr. J. N. C. Coggin, for eight years Secretary of the Colored Work of the board, directed and promoted the gathering. The delegates included the leading Negro pastors and laymen of the Methodist Episcopal, African Methodist Episcopal, Zion Methodist Episcopal, Colored Methodist Episcopal, Presbyterian, Baptist, Congregational, Methodist Protestant and other Protestant bodies.

Speaking at the formal opening Dr. Coggin outlined, as follows, the program of the Conference:

"We mean to declare that we, as a group, stand for the principles which make for good citizenship; and that we recognize no 'place' except such place as each man's ability, character and opportunities create for him.

"We are not here to call attention to the depths from which we have come, nor to the heights to which we have climbed. We are not here to complain of injustices suffered, nor to demand what is illegally withheld from us. Our purpose as a race group is to emphasize the principles for which we stand, and to deliberate upon the best methods of doing our share in seeing that these principles are upheld by all Americans.

"We stand for habits of living which make for sound, vigorous bodies and active minds.

"We stand for the unsullied purity of all womanhood.

"We stand for the integrity of the home, believing it to be the keystone of civilization.

"We stand for the best education for our

children that it is in the power of the nation to give them.

"We stand for industry, economy and thrift.

"We stand for the pure Christian Sabbath as a day of rest and worship.

"We stand for obedience to and observance of the 18th Amendment to the Constitution of the United States.

"We stand for obedience to all law and constituted authority, thus guaranteeing our national integrity and permanence.

"We stand for creating and maintaining such reform agencies among our race as will best reach and relieve the distressed, the delinquent and the criminal among us, and for giving fullest co-operation and support to such constructive agencies as are maintained throughout the nation for the development of good citizenship.

"We are seeking higher altitudes of ethical and moral values; we are striving for racial betterment; we are making an effort to justify a new appraisal by this country and the world.

"It is our earnest wish that there shall be here evolved definite, workable plans and methods, which shall be carried to the many localities here represented, and will result in more effective warfare on America's forces of evil, greater victories to her forces for good, and in far-reaching results in the increase of her moral strength."

The Conference brought together the outstanding leaders of the Negro race, who evidenced only the deepest desire to know the truth that they in turn might spread it among their people. To this end it was decided, in the closing session, to have sectional conferences throughout the country that the spirit manifested and knowledge gained in the national meeting might influence even the remotest community. These sectional conferences will continue under the auspices of the Board of Temperance, Prohibition and Public Morals.

Meeting with the Negro leaders were nationally known white leaders whose presence

and strong messages added much to the goodwill and friendly feeling between the two races. The white citizens of Nashville, headed by the Mayor of the city, gave encouragement to, and co-operated in the efforts to make the Conference a success, while the newspapers of the city gave freely of their space, carrying reports of all the sessions.

Dr. Clarence True Wilson, General Secretary of the Board of Temperance, Prohibition and Public Morals, greeted the Conference Wednesday evening and delivered one of the most notable addresses of the series. His subject was "Booze Challenges the Constitution to a Finish Fight—Which Shall Score the Knock-out?" The national government was represented by Hon. Guy D. Goff, Assistant to the Attorney General of the United States, who spoke Thursday evening on "The Reign of Law." A message from President Harding was given to the Conference by Mr. Goff, who also conveyed the greetings of Attorney General Daugherty.

The Conference was organized into following Commissions which reported the findings of the various subjects assigned to them: Enforcement of Prohibition Laws; The School, Church and State in Law Enforcement; Juvenile Delinquency and Compulsory Education; Vice and Crime; Home and Law Enforcement; The Press and Law Enforcement; Health and Social Morality.

### NEGROES AVOW STAND FOR LAW ENFORCEMENT

Nashville, Tenn., October 7.—With the declaration that the negro race stands solidly for strict law enforcement and good order, the first national law enforcement, temperance and good morals conference came to a close last night after a four-day meeting.

Parental authority in the home is giving way to a dictatorship by the children, declared Dr. John Roach Straton, of New York city, Baptist minister, in the closing address. He deplored the fact that "there has never in the world been so complete a revolt against all authority as at present," and called for re-establishment of the family altars and a return to the old-fashioned home.

Other law enforcement conferences are planned in various sections and states by those behind the movement here. Many national leaders, white and negro, appeared on the program here.

*Christianity Advance*  
NEGROES HOLD LAW ENFORCEMENT CONFERENCE  
10/12/22

That the Negro leadership of America stands squarely for the maintenance and

enforcement of the Federal prohibition amendment is clearly evidenced by the big National Conference on Temperance, Public Morals and Law Enforcement, held at Nashville, Tenn., last week. Several hundred delegates came from all parts of the country and were addressed by scores of representative Negro leaders. Every speech sounded the unmis-

*Nashville, Tenn.*  
takable note of loyalty to the Constitution and the laws of the land.

The following telegram was by unanimous vote ordered sent to Hon. Roy Haynes, the Federal Prohibition Commissioner: "This conference, representing every section of the Negro population, is committed to the high resolve of helping in every way possible the effective enforcement of the eighteenth amendment and the Volstead law."

Education, juvenile delinquency, the cigarette habit, the use of drugs, vice prevention, lynching and other topics of vital importance were vigorously treated. The conference, while thoroughly interdenominational, was planned by the Methodist Board of Temperance, Prohibition and Public Morals and was promoted and arranged by Dr. J. N. C. Coggin of that board.

This is the first national law conference of Negroes ever held and is expected to have far-reaching consequences as the beginning of a general crusade among the race in the interest of society, good citizenship and righteous government.



# BISHOP NICHOLSON EXPLAINS WET VOTE

*new York Statesman*  
*new York 11-13-19*

Bishop Thomas Nicholson resident of Chicago of the Methodist Episcopal Church, and National President of the Anti-Saloon League explanation of the black eye which prohibition received in the election last week all over the country cannot be taken seriously. It's a doleful lamentation. He says:

"In Illinois, for instance, the so-called referendum vote on Prohibition has little or no significance. The Anti-Saloon League and the churches distinctly and actively urged their people not to vote at all on the issue. I honestly believe that to do so under conditions in Illinois was really to be false to the Constitution and the law of the land. The referendum could have no legal weight of any sort and to the drys it appeared as encouraging the people to indorse disloyalty to the Constitution. I, myself, did not vote on the issue and I am sure that probably 90 per cent of the church and temperance people utterly ignored it."

Bishop Nicholson's excuse for the anti-prohibition sentiment expressed in Chicago in particular is similar to that made by William H. Anderson, Superintendent of the Anti-Saloon League in New York about the church people not voting in the poll taken by the Literary Digest prior to the election. "The Anti-Saloon League and the churches distinctly and actively urged their people not to vote at all on the issue." Is it to be accepted then that none of the individual voters who voted for a moderation of the Volstead act, in the great majorities that they did, go to church? When Bishop Nicholson speaks of disloyalty to the constitution, does he hold the 18th Amendment, which means a dry country to be more sacred to the religion of his church than the 14th and 15th which speaks for rights and privileges for human beings that are denied them? How many times has Bishop Nicholson raised his voice for the enforcement of the war amendments so that it could serve as a hint to his fellow clergymen to do so? Methodist hypocrisy, like political hypocrisy, by the Bishop's explanation of the wet vote, has again been brought to light.

## Economic Effects of Prohibition

The coming of prohibition did not result in many vacant business buildings in Houston. As the saloons went out of business other tenants were waiting to take their places. Property owners here lost virtually nothing from the closing of the saloons. *Houston Post*

Houston's situation, of course, was different from that of some of the older cities which were not growing so fast at the time. With the city here growing rapidly and the demand for business places in excess of the supply, the change was made easily and quickly. *8-9-22*

But in other cities which are more or less stationary in growth, there was some ground for expecting losses from vacant property. The saloon was a business house and when it went out of business, some other business had to take its place if its quarters were not to be idle.

The rapidity with which former saloon rooms were occupied by other lines of business in the average city forms one of the best testimonials of the economic benefits of prohibition. With money of the people diverted from the coffers of the liquor dealers, the demand for other articles increased, and with it there was a marked increase in the number of other business institutions.

The experience of Indianapolis is illuminative, because Indianapolis is a typical American city. What happened there doubtless happened in most other American cities. A recent survey of old saloon property in Indianapolis revealed that all but twenty-five of the 509 saloon rooms were occupied by legitimate and wholesome lines of business.

Included in the new business houses were 64 restaurants, 39 groceries, 31 billiard parlors, 12 furniture stores, 18 residences, 15 barber shops, 9 dry goods stores, 8 drug stores, 7 auto accessory shops, 8 tailor shops, 6 shoe stores, 4 fruit stores, 4 hotels, 4 tire shops, 6 banks, 4 bakeries, 3 paint stores, 3 hardware stores, 3 laundries, 3 machine shops, and meat markets, undertakers' shops, garages and other lines too numerous. Over 100 of the old saloons were converted into soft drink and ice cream parlors.

The list shows the wide range of business that expanded and benefited from the going of the saloon. These places are now getting a large part of the money that formerly went for liquor. Thousands of persons are being given clean, moral employment, and the business they are engaged in helps instead of injures the people of Indianapolis.

In view of the character of transformation in business revealed in Indianapolis, is there any question about that city being better off without its saloons?

### GREAT CONFERENCE TO BE HELD AT NASHVILLE, TENN.

A great conference on law-enforcement, prohibition and public morals and questions of civic value to the Negro race will be held in Nashville, Tenn., October 3 to 6, under the direction of the Board of Temperance, Prohibition and Public Morals of the Methodist Episcopal Church, with Bishop William McDowell, president; Dr. Clarence True Wilson, secretary, and Dr. J. N. C. Coggin, director and promoter. Dr. J. W. E. Bowen, vice president Gammon Theological Seminary, is the executive secretary and Mrs. E. M. Phillips Foley is the associate secretary and stenographer.

This conference will bring together one thousand leading men and women, white and black. The discussions will be full and frank upon all issues that affect the race and the South, there will be no soft pedaling and no minimizing of the issues. It is to be inter-denominational. The race in the whole nation is back of the movement.

*SHERIFF GETS BUSY*  
CARROLLTON, Miss., Aug. 22.—These last two days the sheriff's office here has been "in some business" among some of the colored race engaged in the noble "business" of moonshining by paying them surprise visits and bringing them in to abide as the guests of the county until it is convenient to have them receive the greater honor of attention by the federal grand jury. Sheriff Walter Ruscoe, accompanied by his brother, John, Deputy Robert Gray and Prohibition Officer G. W. Whitehead, spent yesterday and today beyond Hemmingway in successful efforts of discovery, destruction and capture. The total result is: Five well equipped operating stills, much equipment and mash destroyed; three alleged ne-

gro owners brought to jail and two others to be soon arrested. The three men in jail are Oliver Gross, Essey Grant, Dan McGill, held here awaiting the coming of the United States marshal to transfer them to the federal prison at Oxford.

### A CHANGING MENTAL ATTITUDE.

William Allen White, who likes to say smart things in his Emporia Gazette, declared last week that this nation cannot exist half wet and half dry. Because he imitated the form of Lincoln's warning on slavery, he expects everybody to believe him.

The question is a debatable one. We got along a good many years half wet and half dry, and most of the other nations are managing to hang together that way now. Whether we got along as well as we do now is another question which can be argued and re-argued indefinitely.

But if Mr. White wanted to sound a warning note, he ignored a danger that has been brought to the fore by prohibition, and which just now overshadows it as a matter of national concern—namely, the growing disrespect for law. It might truly be said that this nation cannot exist half law-abiders, and half law-breakers.

It is always difficult to enforce a law that is not backed overwhelmingly by public opinion. The Fugitive Slave Law was constantly broken and evaded in the North, because the great majority of people here thought slavery an outrage, and refused to help slave-owners. The fourteenth and fifteenth amendments, guaranteeing rights of citizenship to the negroes, have been largely nullified in the South—because public opinion is opposed to them. Other laws before and since which have sought to compel people to do something which they do not believe in, have invariably had a rough and rocky road to travel.

To say that prohibition's road has been rough and rocky is to put the case mildly. Other laws have encountered sectional opposition, but the eighteenth amendment has had to contend with national opposition. In every nook and corner of the United States there can be found many ardent "wets," and many others who are not so frank about their opposition, but buy from the bootleggers none the less.

It is an old story to say that the country is over-run with bootleggers. Everybody knows it. You can drop into a cigar store or a restaurant, or a club and hear some pleased purchaser telling how he got a case of "Scotch" that is almost as good as the old stuff and for which he had to pay only ten times as much as pre-pro-

hibition prices. There is a regular smuggling trade going on off the coast continually. Magazines and newspapers run story after story "exposing" it, and that's as far as it gets. We used to picture rough Kentucky mountaineers whenever we referred to "moonshine." Now we wouldn't be surprised to hear that a neighbor is interested in a still—either in some far-away section of the county, or in a cellar of an old house. And home brew—the house that doesn't have its home-brew is out of fashion, even among prohibition advocates.

In short, there is a large minority that is opposed to prohibition in principle and practice. Thousands of citizens are proud of the fact that they have "put one over on the government." They consider themselves a privileged class of law-breakers.

What are we going to do about it? Trust to time with the hope that the coming generation won't have the "taste?" That's not a very courageous method, and it isn't very sure. The only other alternatives are to enforce the laws as they stand and punish all violators with severity, or to modify the law so that it will have the support of a larger element, and then enforce it.

The prohibition enforcement agents are doing pretty well with the facilities at hand. How many times are violations of the laws reported to enforcement headquarters? We don't know exactly, but we haven't heard that the telephone is kept busy. When a man recognizes an agent stepping off a train, what does he do? Passes the word along to a friend who will see to it that the information reaches proper sources. The agents can uncover a few stills and break them up. They can arrest a few of the underling bootleggers, and fine them. But so long as the whole countryside is filled with allies of the law-breakers, and a large portion of the public condones violations of the law, and pays the professionals in the traffic sky-rocket prices, new stills will spring up, and new bootleggers will be found to sell the product.

**Negro Leaders**

**Back Eighteenth Amendment**  
10/12/22

*The East Tennessee News*  
Great National Conference in Interest of Law Enforcement.—The



## Race Called To Crusade Against the Foes of Character

Nashville, Tenn., Oct. 6.—That the Negro leadership of America stands squarely for the maintenance and enforcement of the Federal Prohibition amendment is clearly evidenced by the big National Conference on Temperance, Public Morals and Law Enforcement, which is in session here this week. Delegates to the number of several hundred are gathered from all parts of the country and are being addressed by scores of representative Negro leaders of all professions and denominations. Every speech sounds the unmistakable note of loyalty to stand like flint against all who would see them at naught. Special emphasis is laid upon the duty of the pulpit, the schools and the press to pass the challenge on to every citizen.

### Knoxvillians Attend Meeting.

Rev. E. M. Seymour, pastor of the Rogers Memorial Baptist church, Mrs. Cora E. Burke and Editor W. L. Porter of The East Tennessee News, both of Knoxville, were in attendance at the meeting as delegates. Editor Porter appeared on the program to speak from the subject, "The Negro's Part in Suppressing Violations of the Eighteenth Amendment." He emphasized the need for a fearless, conscientious leadership who will not only give aid to the civil and federal authorities in bringing to light violations of the prohibition laws, but those who will demand that such officers enforce laws without fear or favor.

"The presence in many communities of men and women who pose as leaders in religious work and who, because of a fear that their salaries will be curtailed, are content to remain silent when bootleggers are plying their trade under the noses of such welfare workers are equally as guilty as the bootlegger himself," said Editor Porter.

"The many other evils complained of and which exist in our land can be traced to the illegal traffic in whiskey and when the leadership of both races manifest an earnest desire to co-operate in putting a stop to such, the task of bringing

order will be accomplished much more readily," said the speaker.

As expressive of the mind of the conference on the subject of prohibition, the following telegram was by unanimous vote ordered sent to Hon. Roy Haynes, the Federal Prohibition Commissioner: "This conference, representing every section of the Negro population, is committed to the high resolve of helping in every way possible the effective enforcement of the Eighteenth Amendment and the Volstead law."

Education, juvenile delinquency, the cigarette habit, the use of drugs, vice prevention, lynching and other topics of vital importance are being vigorously treated, also. The audiences, running often to a thousand or more, are giving the closest attention, sitting through the long sessions daily and evidencing constantly their hearty approval. The conference, while thoroughly inter-denominational, was planned by the Methodist Board of Temperance, Prohibition and Public Morals and was promoted and arranged by Dr. J. N. C. Coggin of that Board.

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## NEGRO LEADERS BACK

## THE EIGHTEENTH

## AMENDMENT

Richmond planet  
10/14/22

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# TEXT AND PRETEXT

BY M. ASHBY JONES, D.D.

The Law Under Indictment.

Delivering an address before the Georgia Bar association recently, the president of that body, speaking of the prohibition law, is reported to have declared, "no enactment of such widespread viciousness and such universally debasing effect on law and law enforcement has ever before been imposed upon the American people." Such an indictment of a provision of our national constitution, made by a former judge of the court of appeals, must command our serious consideration. For this reason I have given his speech a most careful study to see how he justified the use of such language as "widespread viciousness" and "universally debasing effect," as applied to a law prohibiting the sale of intoxicating liquors.

He says, "a prohibition law absolutely enforced would have some economic compensations, but it would entail a moral loss not to be measured in dollars." One would naturally infer from this language that the speaker believes that there is a large moral gain to be had in the legalizing of the sale of liquor, but further on he declares, "The bar-rooms were intolerable nuisances. The influence of whisky interests in our politics was debasing to the last degree." I confess I am confused. According to the speaker an "enforced" law which would put out of business "an intolerable nuisance" and destroy an "influence" which "was debasing to the last degree," would at the same time "entail a moral loss not to be measured in dollars." If we accept this verdict we are doomed to choose between "intolerable nuisances," with influences which are "debasing to the last degree," or we must suffer "moral loss." There seems to be no advantage in appealing from "Phillip drunk to Phillip sober," for Phillip seems to be equally bad, drunk or sober.

## Protest Against Enforcement.

Judge Powell unlike all of the other critics of the prohibition law reserves his severest condemnation for its enforcement, rather than its lack of enforcement. "It is too intemperate, too drastic." "I know the enforcement of the present law is ruining the morals of this nation." In support of this statement he says, "ride along one of our public roads and see the chaingangs at work. Notice therein the large number of young white men and boys, most of them offenders against the prohibition law." Then he speaks of these as "debased and degraded as they are by the nature of their punishment." The argument here is that it is the punishment of crime and not crime, which "debases and degrades." Follow this principle to its logical conclusion and we will abolish all penalties for all crimes.

Judge Powell's attack on the il-

legal methods used by some of the officers in the detection of those violating the prohibition law, is beside the point. The constitutional amendment is not responsible for these violations. Overzealous officers no doubt overstep their rights in the prosecution of this as of other laws. The judge must see that the maladministration of a law is not a just ground for an indictment of the law itself.

## A Defense of Lawlessness.

I can find nowhere in this speech any justification for the sweeping and intemperate language of its indictment of the prohibition law. On the other hand I was pained and shocked to find that in its essence it is an attack on all law. Says this former judge, "I am so firm a believer in the integrity of public opinion that I am sure that if prohibition laws were not morally wrong public opinion would support them." Here is laid down the doctrine that widespread disobedience to any law is proof that it is "morally wrong." Apply this teaching to our land today. Gunmen have dominated and terrorized New York city for the past year. Burglary has become almost a national epidemic. In notorious sections of our own state the mob rules, seizing its victims from the custody of the law and burning them at the stake, and there is not sufficient public opinion to even obtain an indictment. Judge Powell's doctrine would, wherever these conditions obtain, logically lead to the abolition of all laws against burglary and murder, and give the jurisdiction of our courts into the hands of irresponsible mobs.

But the president of the bar association reached his climax in these words: "Now can any lover of law, when he reads that some officer has been killed by some bootlegger, and then reads further that the officer was committing a plain, palpable violation of the bootlegger's constitutional rights?" Notwithstanding the fact that any man would have recourse to the courts should his rights be violated by unlawful search, the president of the bar association expresses his sympathy with the outlaw who puts to death an officer of the law. Here is a case where the zeal of a lawyer for the defense of a technical provision of the law, leads him so near to the defense of murder that every desperate bootlegger who guards his illicit liquor with an illegal gun will be encouraged by the belief that if he kills an officer in the defense of his nefarious traffic, he has retained a distinguished advocate in the person of an ex-judge of the court of appeals.

## Misuse of Language.

The burden of Judge Powell's pro-

test against the prohibition law seems to be that "it was imposed upon the American people" and "foisted upon us," and that for this reason "it has the respect of only a small portion of our citizenship." One has a right to expect that such a learned jurist should use language with the judicial accuracy of a judge, and not with the intemperate passion of a special pleader. The prohibition law was neither "foisted" nor "imposed." As Judge Powell well knows, it was made an integral part of the constitution of the United States by the legal procedure provided for its amendment by the constitution itself. Since that time the constitutionality of this prohibition amendment has been tested in well-nigh every court which has jurisdiction. To attack the wisdom of the people in making this amendment is one thing, but at this late day to characterize the amendment as "imposed" and "foisted" is to make an attack upon the constitution itself.

Judge Powell declares that this law "has the respect of only a small portion of our citizenship." Irresponsible opinions delivered by a judge when not sitting on the bench are known as "horse-back opinions." In this case I am inclined to think that this judge was riding a night-mare. Bootleggers and their particeps-criminis clients have indeed shown a disrespect for the law, which is a menace to the security of our democracy. But I am profoundly comforted in the belief that this class is very far from representing the dominant sentiment of the citizenship of America. The issue which is here clearly raised is—shall respect for law surrender to disrespect for law? Whatever else may be the effect of this presidential address before the bar association of Georgia, it will give no aid to those righteous citizens of our country who are striving to build up a respect for the law of our land.

## Upholds Judge Powell's Speech And Takes His Critics to Task

Editor Constitution: Allow me to compliment Judge Arthur G. Powell on his recent speech at Tybec Island on the harm that has grown out of our so-called prohibition law.

He is absolutely right; as the said law has not only proved a failure, but is the most dangerous force that has ever afflicted our country. It is not necessary to deny the claim by its ardent advocates as to the great good that has resulted from said law.

The distressful feature to my mind is the abhorrent change that has taken place among what may be called our cultured element; among whom while it was the custom many years ago for all kinds of wines to be commonly served at both public and private entertainments, yet any case of intoxication among the young men with whom I associated was a rare occurrence, because of the fact that each and every male participant had been

at Sunday schools; where the teaching is more or less limited to a misinterpretation as to why God cursed Cain, together with the memorizing of a few verses in the Bible which when taken singly contradict each other.

Whether or not that is an exact portrayal, and granting that your critics formed a part of the fortunate ten per cent, I fail to understand how they can be so innocent-minded as not to know that the average up-to-date young man in their own walk in life, not only systematically carries a flask of moonshine whisky in his pocket to every entertainment which he attends, but that he seldom fails to corrupt his female companion by furnishing her some of it; further, that the said young woman not uncommonly gets actually drunk.

If that is not true, then pray tell me why certain landowners near towns have seen fit to enclose their secluded groves with wire fencing, so as to keep out that class of Sunday afternoon auto joy riders?

## Which Is Worse?

Which is the worse evil of our day, the auto or the concealed whisky, I do not know; but I certainly do know that the two when taken together have furnished the devil room for a merry time in Georgia.

The usual stock in trade of the berighted prohibitionist is to cuss out the moonshiner and the bootlegger. Now that is simply silly, as they are

only barnacles on the outside of the ship; because if a certain bootlegger who I surely believe to be such, could not commonly find a customer in the son of a certain prohibitionist judge, who is also well known to me, certainly the business of one moonshiner would grow beautifully less.

Not only is that so, but Judge Hammond, who seems to be a statistical sort of prohibitionist, is respectfully invited to get to work and refute my conviction that the frequency with which high class whisky is to be found in highly respected private homes in Georgia would amaze even the moonshiner. I have got it there,

you can get it there; and the only objection I have is the loosening of the moral force of the young people who see me use it.

The truth about the matter is that the atmosphere of Georgia does not nourish any kind of sumptuary law. The Devil recognized that, and noting how little attention was being given by parents in Georgia towards any education that built up moral force and self-restraint, he conceived our prohibition law, and he made a ten strike; as the average citizen, not one of whom would dream of disregarding any one of the inhibitions in the decalogue, persistently buys and uses contraband whisky, each one of them thinking that the law was not directed at him, but at the other fellow.

## Always Hated Bar-Room.

I have never been what you would call intoxicated in my life; moreover, I have never continuously used alcohol as a beverage. I have always hated a bar-room to the same degree that the Devil hates Holy Water; still I insist that I ought to have the privilege of using whisky when I need it without being a law-breaker.

I am not personally acquainted with Mrs. Dillard; but judging from her ebullition over Judge Powell's speech, I would class her as a mother who, when her little son of say eight years of age was about to go down her village street, would say: "Now, Joe, you know that the Italian dago keeps his apples uncovered in his store, but be sure now that you do not slip one into your pocket, as the town marshal might get you and lock you up in the calaboose."

How different from many a woman with whom I have associated; any one of whom would have said to her son: "Joe, you know that Mr. Stanford keeps his apples in an open barrel on the sidewalk, but be sure now and not slip one into your pocket, because they are not your apples."

Lastly, if those women whom moderate minded men recognize to be forceful wives and successful mothers would only realize their power, then get together and take their turn at persuading their weaker sisters into understanding that neither appetite nor morality can be legislated, that they may be wisely out they will blow our infamous prohibition law so far into space that by the time the Devil could send one of his imps to bring it back, organizations all over Georgia would have the situation well in hand, and the coming generations would do right because it is right; rather than do wrong even when it only proves how vicious that law is, which derides the motto of Georgia, viz., that "Wisdom, Justice, and Moderation" shall prevail.

JAMES B. HEYWARD.

Cartersville, Ga., June 8, 1922

carefully trained to understand while such gratifications were intended by our Creator, still they should never be abused.

## Sipped Champagne.

As to our young women, it is true that some of them did occasionally take a sip or two of champagne at some supper, but for any of them ever to have been intoxicated was unheard of. Both sexes were trained at the knees of level-headed Christian mothers to believe that they were the children of God and must behave as such.

Does that describe the conditions that exist today anywhere around or in any town or city in Georgia? Not on your life. Take your own impression. What per cent of the family circles in the neighborhood where you live, observe any morning and evening devotion? Ten per cent? Possibly, but certainly no more.

The religious training of the child among the ninety per cent is limited to one hour out of every seven days



# COTTER DEFENDS GOVERNMENT ACT IN LIQUOR CASE

*Chicago Defender*  
Birk Brothers Brewing Co.

Faces Hard Fight in  
Volstead Violation

4/1/22

Shortly after his appointment as assistant United States district attorney, James G. Cotter was assigned



Jas. G. Cotter

to handle some of the most technical violations of the national prohibition act which the United States courts have ever been called upon to consider. Among these can be mentioned the government's case against 100 gallons of whisky and one Hudson automobile, found on the public highway last fall near Harvey, Ill., by federal agents in the possession of Max Lewis of

Peoria. Lewis was found pinned beneath the overturned auto containing the liquor in question and died from his wounds the next day in a Blue Island hospital. The widow now claims the auto as part of the estate, and the government claims both auto and liquor as forfeited to it under the Volstead law. As far as can be learned, this case is without a precedent.

The case of Andrew Aniol vs. John C. Cannon, collector of internal revenue, is an injunction suit against the collector seeking to restrain him from preventing Aniol from removing 75 barrels of fine old brandy from a bonded warehouse in the loop to his residence for home consumption. This liquor was stored before the Volstead act became effective, and the collector has refused to allow it to be removed without a permit or an order of the United States courts. Aniol is represented by one of the ablest law firms in Chicago. Mr. Cotter has recently filed the government's answer to the bill of complaint, and some nice questions will be decided in this case.

A very recent and interesting case is that of the Birk Bros. Brewing company, in which the government charges the Birks with manufactur-

ing and selling real beer for near beer, and with operating a de-alcoholizing plant without a permit. Last August, it is charged, they sold a truck load of beer to certain hotels and soft drink saloons in the loop. In November the brewery was seized under a search warrant and held until January 23 of this year. On March 22 Mr. Cotter filed criminal bills of information against three officers and two employees of the brewery charging criminal offenses in eight counts of the information. One of the new questions of law which arose in this case was whether or not a prohibition director who refused to release liquor ordered to be returned to the owner by the United States commissioner is guilty of contempt of the court. In Mr. Cotter's brief for the government he showed by weight of authority that the question must be decided in the negative.

Mr. Cotter's appointment was recommended by Congressman Martin B. Madden as pointed out in these columns some time ago. Congressman Madden is chairman of the House committee on appropriations, and his position is said to be next in importance to the nation at large to that of the President himself. Mr. Cotter's position is the most important one that has been given any member of our group by the Harding administration west of New York.



# **ADMITS USING NEGRO HELP ON "DRY" RAIDS**

BALTIMORE MD. EVE. SUN  
JULY 1 1922

**Budnitz Says "Aggie" Carr,  
Colored, Furnishes Autos And  
Men To Handle Seizures.**

**NOT AGENTS, HE DECLARES**

**Reports Of Their Employment  
As Enforcement Officers Fol-  
low Recent Disorder.**

During recent raids by Federal prohibition agents in Baltimore, which have been accompanied by disorder and near-riots, the appearance of negroes participating in these raids has brought forth reports that the negroes were being employed and used as enforcement officers.

Negroes have been seen following agents into houses and places of business in these raids, and have later been seen coming out carrying liquors and other seizures. The impression has been created among persons who have witnessed the raids that negro prohibition agents were being used, and in some instances some of the jeers from the crowds that have watched these raids have been directed at the negroes.

Prohibition Director Budnitz, asked about the matter today, admitted that "Aggie" Carr, colored, is almost always hired by the "dry" agents when they go on raids in the role of a chauffeur.

The prohibition forces here have no automobile or trucks of their own, he said, so Carr, who is in the automobile hiring and garage business, with a garage on Hoffman street, near Pennsylvania avenue, is hired to take the agents to the places where they are to make raids.

## **Seized Autos Stand There.**

The overflow of seized automobiles, which cannot be stored in the Government warehouse, Mr. Budnitz admitted, were stored in Carr's garage.

Asked why the prohibition department hired a negro to do this work, Director Budnitz declared that he considered that a matter which rests entirely with the department and which did not require an answer.

## **Carr Employs Other Men.**

Mr. Budnitz said he was not familiar with the actual details of the part that negroes play in these raids, except that he naturally presumed that they helped carry seized goods out of places raided. He said that he did not go on the raids and was, therefore, not in a position to know just how much the negroes did do

Mr. Budnitz admitted that "Aggie" Carr furnished some of his own employees, also negroes, to aid in carrying off seizures and driving machines used in raids.

Asked if negroes were employed here as "dry" agents, with authority to make arrests, Mr. Budnitz replied in the negative. He said reports to this effect were not true.

When he was asked the direct question as to negro agents Mr. Budnitz was inclined to take a non-committal attitude. Later, however, he answered the question by declaring that there were no negro agents under him.

He said he could not answer, of course, for the Washington free lance agents who operate in the city and State frequently without making any official report to him. These free lance agents are under a district supervisor, whose office is in Washington.

## **Carr's Service Valuable.**

Within the last few months frequent reports have come of disorder which seemed to have started when negroes made their appearance with prohibition agents. Reports have been current, and admitted by prohibition agents, that Carr's service is almost as valuable to the prohibition officers as that of a regular agent.

It is reported that he has frequently been responsible for the arrest of negro bootleggers. It is reported that he has two or three employees who go into negro saloons and get evidence, which is turned over to the agents.

Some time ago, when Carr took part in a raid, a crowd of negroes gathered around his machine, parked near the Northwestern Police Station, and made threats against him.

Carr has never been accused of overstepping the bounds of his capacity as a chauffeur and drayman in any of the raids, but very frequently he has been seen following prohibition agents into houses and shops of white men.

When he has been seen coming out carrying seized goods the natural impression has been created in the neighborhood crowds that gather to watch such raids that he is a regular prohibition agent.